

Marisol Nagata, Esq. (SBN 221387)
Kelli M. Brown, Esq. (SBN 328176)
GHIDOTTI | BERGER LLP
1920 Old Tustin Ave.
Santa Ana, CA 92705
Ph: (949) 427-2010
Fax: (949) 427-2732
bknotifications@ghidottiberger.com

*Attorney for Secured Creditor,
Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as Legal Title
Trustee of the Bunker Hill Loan Depository Trust 2019-3, its successors and/or assigns*

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – RIVERSIDE DIVISION**

| | | |
|------------------------|---|-----------------------------------|
| In Re: |) | CASE NO.: 6:23-bk-12440-RB |
| |) | |
| Todd Esquivel, |) | CHAPTER 13 |
| <i>dba</i> A Drain Man |) | |
| |) | LIMITED RESPONSE TO |
| and |) | MOTION UNDER LBR 3015-1(n) |
| |) | AND (w) TO MODIFY PLAN OR |
| Ashley Esquivel, |) | SUSPEND PLAN PAYMENTS |
| |) | |
| |) | Judge: Hon. Magdalena Reyes |
| Debtors. |) | Bordeaux |
| |) | |
| |) | |
| |) | |
| |) | |
| |) | |

**TO THE HONORABLE MAGDALENA REYES BORDEAUX, UNITED
STATES BANKRUPTCY COURT JUDGE, THE DEBTORS, THE DEBTORS’
COUNSEL, THE CHAPTER 13 TRUSTEE, AND OTHER INTERESTED PARTIES:**

Secured Creditor, Wilmington Savings Fund Society, FSB, not in its individual capacity
but solely as Legal Title Trustee of the Bunker Hill Loan Depository Trust 2019-3, its
successors and/or assigns (“Secured Creditor”), in the above-entitled bankruptcy proceeding,

1 hereby submits the following Limited Response to Motion Under LBR 3015-1(n) and (w) to
2 Modify Plan or Suspend Plan Payments (“Response”) filed by Todd Diedrich and Ashley
3 Esquivel (“Debtors”) on January 10, 2024 as Docket Number 36.

4 Although the treatment proposed in the modified plan does not appear to directly be
5 based on modified treatment as to Secured Creditor’s claim; however, the treatment does appear
6 to affect the plan payments as a whole. Secured Creditor files this Response to confirm that it
7 does not consent to any modification as to the plan treatment for its claim specifically.
8 Additionally, Secured Creditor files this Response to confirm it still wishes for the Debtors to
9 continue the maintenance of post-petition payments direct to Secured Creditor and repayment
10 of its pre-petition arrears to continue as set forth in the plan confirmed on October 12, 2023.
11 See Docket Entry No. 11.

12 Respectfully Submitted,
13 Dated: February 26, 2024 GHIDOTTI | BERGER LLP

14
15 By: /s/ Kelli Brown
16 Kelli Brown, Esq. (SBN 328176)
17 Counsel for Secured Creditor
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
1920 Old Tustin Ave, Santa Ana, CA 92705

A true and correct copy of the foregoing document entitled (*specify*):
LIMITED RESPONSE TO MOTION UNDER LBR 3015-1(n) AND (w) TO MODIFY PLAN OR SUSPEND PLAN
PAYMENTS

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 02/26/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Counsel for Debtor(s): Pro Se
Ch 13 Trustee: DIANNE C. KERNS mail@dcktrustee.com
U.S. Trustee:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 02/26/2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor(s): ORVILLE C NANCE 3102 W TUCANA STREET TUCSON, AZ 85745
U.S. TRUSTEE OFFICE OF THE U.S. TRUSTEE 230 NORTH FIRST AVENUE SUITE 204 PHOENIX, AZ 85003

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

02/26/2024 Kelli M. Brown
Date Printed Name

/s/ Kelli M. Brown
Signature